

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम,
१९६६ चे कलम - ३७ (२) अन्वये नागपूर
विकास नियंत्रण नियमावलीत फेरबदल
करावयाची अधिसूचना

महाराष्ट्र शासन

नगर विकास विभाग

शासन निर्णय:- क्रमांक:टिपीएस- २४०६/४४१/प्र.क्र.५४/०६/नवि-९

मंत्रालय, मुंबई - ४०० ०३२.

दिनांक:- २० जुलै, २००७

शासन निर्णय:- सोबतची अधिसूचना महाराष्ट्र शासनाच्या राजपत्रात प्रसिध्द करावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,

(सुधाकर नांगुरे)

महाराष्ट्र शासनाचे उप सचिव

प्रति,

सभापती, नागपूर सुधार प्रन्यास, नागपूर
विभागीय आयुक्त, नागपूर विभाग, नागपूर
आयुक्त, नागपूर महानगरपालिका, नागपूर
संचालक नगर रचना, महाराष्ट्र राज्य, पुणे
उपसंचालक नगर रचना, नागपूर विभाग, नागपूर
जिल्हाधिकारी, नागपूर
सहायक संचालक नगर रचना, नागपूर शाखा, नागपूर
व्यवस्थापक शासकीय मुद्रणालय, नागपूर

(त्यांना विनंती की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या राजपत्रात भाग-१ नागपूर विभागीय पुरवणी मध्ये प्रसिध्द करावी व त्याच्या प्रत्येकी १० प्रती या विभागास आयुक्त, नागपूर महानगरपालिका, नागपूर व संचालक नगर रचना, महाराष्ट्र राज्य, पुणे यांना पाठवाव्यात)

✓ कक्ष अधिकारी (नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई.

त्यांना विनंती करण्यात येते की, सदरहू सूचना विभागाच्या वेबसाईटवर प्रसिध्द करावी.

निवडनस्ती (कार्यासन नवि-९)

**Maharashtra Regional and
Town Planning Act, 1966.**

**Sanction u/s 37(2) of Modification to
Development Control Regulation for
Nagpur**

GOVERNMENT OF MAHARASHTRA

**Urban Development Department,
Mantralaya, Mumbai 400 032.**

Dated: 20th July, 2007

NOTIFICATION

No. TPS- 2406/441/CR-54/06/UD-9

Whereas the Development Control Regulations of Nagpur Municipal Corporation (hereinafter referred to as "the said Regulations") have been sanctioned by the Government vide Urban Development Department Notification No. TPS-2400/1684/CR-192/2000/UD-9 dated 31st March, 2001, under section 31(1) of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") to come into force with effect from 9th April, 2001;

And whereas as there are existing Industries in Municipal Corporation area which are not running at present and various requests from applicant to allow to develop the land for the Residential purpose are being received and there is no provision in the sanctioned development control regulations in this regard;

And whereas, by considering the above fact, in exercise of the powers contained in sub-section 1AA of section 37 of the said Act, Govt. has issued the notice of even no. dt. 10/3/2006 (hereinafter referred to as "the said notice") to the proposed Regulations contained in schedule-A for inviting suggestion / objections from public:

And whereas, the said notice was published in the Govt. Gazette (Extra ordinary) dt. 20/3/2006 & in the news paper namely 'Nagpur Post (English) dt. 21/3/2006 & "Mahasagar" (Marathi) dt. 23/3/2006.

And whereas, vide said notice, Govt. had appointed the Dy. Director of Town Planning, Nagpur Division, Nagpur, as an "officer" under section 162 of the said Act (hereinafter referred to as "the said officer") to scrutinize the suggestions and objections received, grant hearing to the persons submitting suggestions / objections & to submit his report to the Govt. regarding the said modification;

And whereas, after hearing the suggestions / objections received regarding the said modification & the say of the Nagpur Municipal Corporation, the said officer has

submitted his report vide letter dt. 6/12/2006 to the Govt. (hereinafter referred to as "the said Report");

And whereas, after consulting Director of Town Planning, Pune, Govt. is of the opinion that the said modification should be sanctioned with some changes;

Now therefore, in exercise of the powers vested u/s 37(2) of the said Act, Govt. hereby

- (A) sanction the said modification as, specifically described in the schedule A appended hereto ;
- (B) fixes the date of publication of this Notification in the Govt. Gazette as the date of coming into force of this modification.
- (C) directs the said Corporation that, in the schedule of Modification sanctioning the said Regulations, after the last entry, the schedule referred to as (A) above shall be added.

Note:-

- i) A copy of aforesaid sanctioned modification to DCR is available for public inspection in the office of the Nagpur Municipal Corporation during office hours on all working days for the period of one month:
- ii) This notification is also available on Dept's web site www.urban.maharashtra.gov.in

By order and in the name of the Governor of Maharashtra,

(Sudhakar Nangnure)

Deputy Secretary to Government

SCHEDULE-A

(Accompaniment to notification No. TPS-2406/441/CR 54/06/UD-9, dated 20th July, 2007 shall be added in regulation No. 14.2

Modification No. 1

14.2.1 Notwithstanding anything contained above -

- a) With the previous approval of Commissioner and on such conditions as deemed appropriate by him, the existing or newly built-up area of unit, in the industrial zone may be permitted to be utilised for an office or commercial purposes.
- b) With the previous approval of the Commissioner, any open land or lands or industrial lands in the Industrial zone may be permitted to be utilised for any of the permissible users in the Residential zone (R-1 zone) or the Residential zone with shop line (R-2 Zone) or for those in the Commercial zone subject to the following:
 - i) The conversion of Industrial Zone to Residential Zone in respect of closed industries shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory agreement between management and workers have been made, is obtained. Provided that where conversion has been permitted on the basis of this certificate, occupation certificate will not be given unless a no dues certificate is granted by Labour Commissioner.
 - ii) The layout or sub division of such land admeasuring about 2.00 Ha. shall be approved by the Commissioner, who will ensure that 5% land for public utilities and amenities like electric sub-station, bus-station, sub-post office, police out post and such other amenities, as may be considered necessary, will be provided therein. These area will be in addition to the Recreational space as required to be provided under these regulations.
 - iii) In such layouts or sub-divisions having area more than 2 Ha but less than 5 ha., 20% land for public utilities and amenities like electric sub-station, bus station, sub post office, police out post, garden, playground, school, dispensary and such other amenities shall be provided. These areas will be in addition to the Recreational Space as required to be provided under these regulations provided that 50% of the amenity space shall be designated as open user like Recreational Ground, Play Ground etc.

- iv) In such layout of sub-division each more than 5 Ha. in area, 25% of land for public utilities and amenities like electric sub station, Bus station, sub post office, police outpost, garden, playground, school, dispensary and such other amenities shall be provided. These areas will be in addition to the recreational space as required to be provided under these regulations provided that 50% of the amenity space shall be designated as open user like Recreational Ground, Play Ground etc.
- v) The required segregating distance as prescribed under these regulations shall be provided within such land intended to be used for residential purpose.
- vi) Such residential development shall be allowed within the permissible FSI of the nearby residential.
- vii) Provision for public utilities and amenities shall be considered to be reservation in the Development Plan and transferable development rights as Regulation No. 29 or FSI of the same shall be available for utilisation on the remaining land.

Note :

- I) Conversion from Industrial zone to residential / commercial zone shall be applicable to the entire land holding and layout shall be approved for the entire land holding and not in part. Conversion from industrial zone to residential / commercial zone shall be applicable to the part area of land holding subject to the condition that total area of the entire land holding shall be considered for deciding the percentage of land to be reserved of the said part area of land for public amenity spaces, as per the said Regulations. However, necessary segregating distance shall be provided from existing industrial estate.
- II) The existing reservation of Development Plan, if any, (within the percentage mentioned above, for public amenities and utilities) will be extinguished and they will be covered in new regulation.
- III) Out of the total area proposed to be utilised for residential development, 20% of the same shall be built for residential tenements having built up area upto 50 sq. mtrs.

Modification No.2

Following proviso shall be added in regulation no. 29.14.1

"However, in case of Development permission under regulation No. 14.2.1, such FSI on the receiving plots under prescribed regulation shall be

allowed up to 80% of the plot area after deducting the road widening area but without deducting the required public amenity space subject to other restrictions of Regulation No. 29."

Modification No. 3

Regulation No. N-2.8(C) is deleted and substituted as follows-

"FAR Permissible shall be 2.5 for purely Industrial user."

(Sudhakar Nangnure)
Deputy Secretary to Government